

THE HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

W.P.No. 555 OF 2005

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Dated 25-10-2005

Between:

Vijay Singh ...Petitioner

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State of Andhra Pradesh rep. by Principal

Secretary Municipal Administration,

Secretariat,Hyderabad and another ...REspondents

THE HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

W.P.No. 555 OF 2005

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ORDER:

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1. This writ petition has been filed by Vijay Singh with a prayer to issue writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in laying the sewerage pipeline on the lands of the

petitioner without acquiring the same or without paying compensation as illegal, arbitrary and unconstitutional.

2. The petitioner is owner of agricultural lands bearing Survey Nos. 165,166,167,170,172,173,190 and 191 of Gagan Mahal village.

3. It is the grievance of the petitioner that the 2nd respondent laid sewerage pipeline in his agricultural lands without acquiring the land and without paying any compensation. He submitted representation to the 2nd respondent on 5-9-2002 claiming compensation. Since no action is taken by the 2nd respondent on the said representation, the petitioner has chosen to approach this Court by invoking jurisdiction under Article 226 of the Constitution of India.

4. Heard the learned counsel for the petitioner and learned Standing Counsel appearing for Municipal Administration.

5. Learned counsel for the petitioner submits that the 2nd respondent laid sewerage pipeline through the fields of the petitioner without acquiring the land and therefore, a direction is required to be given to the 2nd respondent to consider the application of the petitioner dated 5-9-2002.

6. A copy of the representation submitted by the petitioner has been placed on record. It is stated in the representation that 20 feet wide pipeline has been laid in the land of the petitioner and he has not been paid any compensation.

7. Since the representation of the petitioner is pending with the 2nd respondent, I deem it appropriate to dispose of the writ petition giving direction to the 2nd respondent to consider the representation dated 5-9-2002 submitted by the petitioner and pass appropriate orders within two months from the date of receipt of a copy of this order.

8. Accordingly, the writ petition is disposed of with the above direction. No order as to costs.

B.Seshasayana Reddy,J

25th October, 2005.

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THE HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

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